

Notice of Allowability

Application No.

10/811,350

Examiner

David Nhu

Applicant(s)

NEGLEY, GERALD H.

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/6/06.
2. ☒ The allowed claim(s) is/are 1-46.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the change and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 1, 2, 7, 39-42, "the substrate" should be ~~the SiC substrate~~

REASONS FOR ALLOWANCE

2. Claims 1-46 are allowed.

3. The following is an examiner's statement of reasons for allowance: None of the references of record teaches or suggests a cited in claims 1, 10, 24, 38: fabricating a light emitting device including a silicon carbide (SiC) substrate having first and second opposing faces and a light emitting element on a first face of the SiC substrate, comprising: directly etching the second face of the SiC substrate utilizing an aqueous etch to remove a damaged portion of the SiC substrate resulting from processing of the SiC substrate (as cited in claim 1); increasing light output of a light emitting diode, comprising: etching a substrate of the light emitting diode using an aqueous etch to at least partially remove a light absorption region of the substrate of the light emitting diode (as cited in claim 10); etching a substrate of the light emitting diode using an aqueous etch and using etching parameters that are sufficient to increase an amount of light extracted through the substrate (as cited in claim 24); fabricating a light emitting device, comprising: etching a SiC substrate of the light emitting device using an aqueous etch to

Art Unit: 2818

remove at least a portion of amorphous silicon carbide from a surface of the SIC substrate of the light emitting device (as cited in claim 38).

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONCLUSION

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Gole et al (6,893,892 B2): Porous Gas Sensor and Method of Preparation thereof. Andrews (6,885,033 B2): Light Emitting Device for Light Conversion and Methods and Semiconductor Chips for Fabricating the same.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Nhu, (571)272-1792. The examiner can normally be reached on Monday-Friday from 7:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

David Nhu

December 8, 2006



DAVID NHU
PRIMARY EX